

### **REMARKS/ARGUMENTS**

Applicant has carefully reviewed and considered the Election of Species Requirement mailed on March 19, 2004.

Applicant amended claims 30, 31, 34, and 35 to clarify the dependency of the recited claims, and not in response to any document cited in the prosecution of the present matter. Claims 1-42 are pending.

The Election of Species Requirement indicated that election to one of the following species was required:

**Specie I** referring to Figs. 3-4.

**Specie II** referring to Figs. 5a-5d.

**Specie III:** A process for depositing ink drops, fixing drops, and overcoating drops from the printheads on the recording medium.

Applicant elects, with traverse, to prosecute the invention of Species III, claims 1-32, and 42.

The Election of Species is traversed on the basis that an Election of Species is optional. M.P.E.P. § 806. If the number of species is reasonable they may be specifically claimed in different claims in one national application, provided the application also includes an allowable claim generic to all the claimed species and all the claims to species in excess of one are written in dependent form or otherwise includes all the limitations of the generic claim. 37 C.F.R. § 1.141(a). Applicant notes that there are only three identified species. Species III is encompassed in the independent claims 1, 15, 21, 29, 32, and 42 directed to an inkjet printing system/apparatus and programs/articles therefor. Finally, it is submitted that Applicant should not be required to incur the additional costs associated with the filing of multiple applications in order to obtain protection for the claimed subject matter.

Reconsideration and withdrawal of the election of species requirement is respectfully requested.

### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-0769 to facilitate prosecution of this matter.

**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: **MS NON-FEE AMENDMENT** Commissioner of Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 8<sup>th</sup> day of April, 2004.

Respectfully Submitted,  
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By their Representatives,  
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Date:

4/8/2004